

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
RENO, NEVADA

TESLA, INC.,	)	3:18-CV-0296-LRH-CBC
	)	
Plaintiff(s),	)	<b><u>MINUTES OF PROCEEDINGS</u></b>
	)	
vs.	)	DATED: February 6, 2019
	)	
MARTIN TRIPP,	)	
	)	
Defendant(s).	)	
_____	)	

PRESENT: THE HONORABLE CARLA BALDWIN CARRY, U.S. MAGISTRATE JUDGE

Deputy Clerk: Lisa Mann Court Reporter: Liberty Recorder

Counsel for Plaintiff(s): Allison Libeu and Stephen Richards

Counsel for Defendant(s): Robert Mitchell

PROCEEDINGS: TELEPHONIC CASE MANAGEMENT CONFERENCE

9:01 a.m. Court convenes.

The Court addresses the parties regarding the purpose of this hearing and advises the parties of the papers the Court has reviewed in preparation for this case management conference.

The Court and counsel discuss the parties' stipulation and modification to scheduling order (ECF No. 62) and the parties' joint case management report (ECF No. 63).

Having heard from counsel and good cause appearing, the Court finds as follows:

**1. Depositions and discovery**

The Court notes that counsel report that depositions are moving along; however, the Court expresses its concern with whether the parties' stipulation and modification to scheduling order (ECF No. 62) is a sufficient amount of time to complete discovery in this case. The Court advises counsel that it is amenable to extending the discovery plan and scheduling order for one hundred twenty (120) days. Therefore, the Court directs counsel to file an updated discovery plan and scheduling order calculating the one hundred twenty (120) days for the Court's approval. The Court advises counsel

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that no further extensions of this discovery plan and scheduling order will be granted absent extraordinary circumstances.

**2. Deposition of Elon Musk**

Counsel agree that additional discovery is required prior to noticing the deposition of Elon Musk. Therefore, the parties are directed to complete such discovery and then shall meet and confer regarding the deposition. If counsel are unable to reach agreement concerning the deposition of Elon Musk, plaintiff is directed to file the appropriate motion and alert the Court to its filing. Thereafter, the Court will issue a ruling as soon as the motion is fully briefed.

**3. Mental examination of Martin Tripp**

Mr. Mitchell reports that the mental examination of Martin Tripp is unnecessary due to today's filing of the stipulation for dismissal of count III of counterclaim (ECF No. 64).

**4. Settlement conference**

Counsel report they are amenable to setting a private mediation or settlement conference in this case in June or July 2019. The Court directs counsel to advise of such at the next case management conference.

**5. Further case management conference**

A further telephonic case management conference is set for **Monday, May 6, 2019** at **10:00 a.m.** Counsel shall dial **877-336-1829** at least five (5) minutes prior to the hearing to be properly connected into the courtroom. The **access code** is **2809752** and the **security code** is **18296**. Counsel shall file a joint case management report by no later than the close of business on **Monday, April 29, 2019**. The report shall specifically outline the status of discovery, whether the parties will participate in a private mediation or settlement conference with this Court, and any discovery issues for the Court's consideration.

**6. Discovery disputes**

If between now and May 6, 2019, discovery disputes arise, counsel shall file a joint paper that specifically outlines the discovery disputes and includes the respective

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positions of each side. Thereafter, the Court may set the matter for hearing, order additional briefing, or issue a written order.

IT IS SO ORDERED.

9:20 a.m. Court adjourns.

DEBRA K. KEMPI, CLERK

By:                     /s/                      
Lisa Mann, Deputy Clerk